

COURTS FAVOR STILLMAN BOY

Law Puts Burden of Proof That Child Is Guile's Son Up To Banker.

NEW YORK, March 21.—The question of the paternity of Baby Guy Stillman has led to a wide discussion of the law of legitimacy.

Following are pertinent quotations as set forth in corpus juris from the law library of Supreme Court Justice Morschauer at Poughkeepsie:

Subsequent marriage of parents: "The civil and canon law, in contradiction to the common law, allowed the subsequent marriage of the parents to legitimate previously born illegitimate children. This rule, a large majority of the United States have abrogated the common law doctrine and enacted that a subsequent intermarriage of the parents, followed by cohabitation and accompanied by an acknowledgment of paternity on the part of the father, shall legitimate previous issue.

"Unless the language of the statute requires it, it is unnecessary that the man shall be in fact the father of the child. Such statutes, being remedial, should be received with a liberal construction and are generally held to extend to the issue of an adulterous intercourse, although the contrary has also been held.

OPERATE RESPECTIVELY.

"These statutes also have been held to operate in a respective sense to the extent of legitimating those whose parents had married before the passage of the act, but have been held not to affect the property relations of husband and wife."

Effect of legitimation: "In the absence of restrictions in the statutes, the legitimation places the illegitimate child, as far as inheritable blood is concerned, on the same footing as offspring born in lawful wedlock. This status of the child will obtain everywhere, and no act or statement of the father or mother can thereafter change it, that it could not."

What law governs? "The general current of modern authority favors the doctrine that, where an illegitimate child has been legitimated, such legitimacy follows the child wherever it may go, and entitles it to all the rights flowing from such status, including the right to inherit."

MUST PROVE CHARGE.

With reference to the question of the alleged illegitimacy of Guy Stillman, the same authority says: "Presumption: 'A child is presumed to be legitimate until the contrary is shown; in case of conflicting presumptions, that in favor of legitimacy will prevail. Every child born in wedlock is presumed to be legitimate, even though it may be shown also that the wife during the time was guilty of infidelity. So firm was the presumption originally that it could not be rebutted unless the husband was incapable of procreation or was absent beyond the four seas during the whole period of the wife's pregnancy."

"This rule was repudiated more than a century ago, and gave way to the modern doctrine that the presumption may be rebutted by any competent and relevant witness, and the husband could not have been the father of the child."

After lapse of time: "The fact that an assumed legitimacy has remained uncontroverted for a great length of time strengthens the presumption regarding it."

BURDEN OF PROOF.

"Burden of proof, where the circumstances are such as to give rise to a presumption of legitimacy. Those who assume the fact of illegitimacy have cast on them the burden of establishing it."

Admissibility. "In order to render testimony admissible to overthrow the presumption of legitimacy, it must have a tendency in a reasonable mind to establish some circumstance which is regarded as sufficient for this purpose. Mere reputation of a wife for unchastity, especially where such reputation was before marriage or after the birth of the child, has no such tendency and is inadmissible, so, a rule, evidence of her unchastity conduct with other men is inadmissible unless it relates closely to the period when the child was begotten."

"But in some jurisdictions such evidence has been admitted at least where it is offered merely as corroborative evidence of nonaccess. Evidence of the husband's nonaccess at the time that the child was begotten and of his frequent quarrels with his wife in reference to the child's illegitimacy is admissible."

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Prices realized on Swift & Company's sales of fancy beef on shipments sold out or period shown below as published in the newspapers, averaged as follows, showing the tendency of the market:

Week Ending	Range Per Cwt.	Av. Price Per Cwt.
Jan. 29	Low-High	15.25
Feb. 5		14.37
Feb. 12		12.97
Feb. 19		13.54
Feb. 26		14.72
Mar. 5		15.14
Mar. 12		16.47
Mar. 19	\$14.00	\$20.00 \$16.86

Swift & Company
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Mrs. Stillman, Who Has Brought Counter Suit for Divorce, Her Children and Rival



MRS. J. A. STILLMAN.

COULD VOTE STILLMAN OUT

Banker's Brother Has Power to Swing Shares of Estate Against Millionaire.

NEW YORK, March 21.—James A. Stillman, whose divorce suit against his wife, Anne Potter Stillman, revealed his own intimacy with Florence Leeds, the former show girl, holds his position as president of the National City Bank by sufferance. Stillman did not succeed to his father's holdings in the bank and does not himself own any substantial amount of its stock.

BROTHER NOT CONFIDENT.

Dr. Ernest G. Stillman, of 17 East Seventy-second street, the banker's brother, said:

"My brother never made me the confidant of his affairs."

"Because I was a professional man, my father did not make me one of the executors and trustees under his will. I have therefore had no occasion to have any contact with my brother James, or my other brother, Charles, who is connected with the Union Pacific Railway, who was also made executor and trustee."

"The estate has not been settled yet and I am not familiar with its administration. My understanding is that I was to have an equal share with James and Charles."

An examination of the will of James Stillman, the elder, who died in March, 1918, showed that the founder of the National City Bank's greatness left nothing outright to James A. Stillman or any of his children. It was pointed out by a friend of the family that James A. Stillman was elected a director of the National City Bank at the last stockholders' meeting by the vote of a majority of stock held in the name of the James Stillman estate.

The shares of the Stillman estate were voted by the trustees—United States Trust Company, Charles Chauncey Stillman and James A. Stillman. The Times informant said:

"If Charles Chauncey Stillman considered it advisable to join with the United States Trust Company in having his brother James removed from the directorate of the National City Bank, he could vote the Stillman estate shares for himself or some other person agreeable to the trust company."

MOTHER OUT OF TOWN.

Charles Chauncey Stillman is about the same age as his brother James. He was graduated from Harvard two years later. What his attitude is toward his brother at the present time could not be learned yesterday. He was not at his town house, and his country home, "Kenridge," at Cornwally-on-Hudson, could not be reached by telephone.

The United States Trust Company succeeded John W. Sterling, personal attorney of James Stillman, the elder, as executor and trustee under his will. Sterling died in July, 1918, shortly after he took up his duties under the Stillman will.

Stillman will provided two trust funds of \$3,500,000 each for his daughters, Mrs. Elsie G. Rockefeller, wife of William G. Rockefeller, and Mrs. Isabelle Rockefeller, wife of Percy A. Rockefeller. It divided the

JAMES A. STILLMAN, JR.



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residue of the estate into three equal parts, which it erected into trust funds for his three sons, James A., C. Chauncey, and Dr. Ernest G. Stillman.

Each of the trusts runs for the life of the beneficiary and is to be held in trust for the beneficiary's children until they reach the age of 25 years, when it is to be paid over to them. The trust fund for each son has been estimated at about \$7,500,000. No appraisal of the estate has yet been officially announced.

PARALLELS IN THE LIVES OF STILLMAN AND WIFE

Banker Is Son of Distinguished Father Who Paved Way to Success.

James Alexander Stillman, the banker, was born in New York City about 1873. His father was James Stillman, scion of a prominent Georgia family, who raised the National City Bank to a position of first eminence in New York financial circles following the panic year of 1893.

Three years later, in 1896, young Stillman, who was destined to succeed his father as the head of the National City Bank, received the degree of Bachelor of Arts from Harvard.

James Stillman, the elder, had put the National City Bank to the fore by obtaining the Standard Oil account for the National City. He consolidated his connections with the Rockefeller interests by marrying his daughter Isabel to Percy A. Rockefeller and his daughter Elsie to William Rockefeller.

CHOSE MR. VANDERLIP.

He was always careful to preserve the distinction that he was working with and not for the Standard Oil interests. One of his first steps was to bring Frank A. Vanderlip, a former Assistant Secretary of the United States Treasury, to the National City as a vice president. When he retired and moved to Paris to live, his place was credited in many circles with the choice of Mr. Vanderlip as his successor.

Two years after he was graduated from Harvard in 1896, James A. Stillman joined the staff of the National City Bank. A year later he was made an assistant cashier. He became an assistant vice president and one of the executive managers of the institution.

ELECTED CHAIRMAN.

When James Stillman, the elder, died on March 15, 1918, James Stillman was elected chairman of the bank's board of directors. He had previously been general executive manager. He was then forty-five years old. Shortly thereafter he quarrelled with Frank A. Vanderlip, who thereupon resigned the presidency of the bank, in which office James A. Stillman succeeded him.

At Harvard, James A. Stillman was well known as an athlete. He was a member of the football squad and of the polo team. Since his graduation he achieved some notice as a golfer. He is a member of the Knickerbocker, University, Brook, Automobile, Racquet and Tennis, Down Town, Golf Links, Garden City, Golf, Sleep Hollow Country and New York Yacht Clubs.

TO PRESS DRY CHARGES AGAINST MILLIONAIRE

TAMPA, Fla., March 21.—Charges of conspiracy to violate the Volstead act will be pressed against Harry S. Black, New York multimillionaire, and his two negro employees before the Federal grand jury, Herbert S. Phillips, United States District Attorney for the Southern Florida district, announced.

Black was arrested last week after Federal prohibition agents had raided his private car and seized 55 cases of liquor. He later was released after the negro porter on the car had testified that the liquor was placed aboard the car without Mr. Black's knowledge.

ANNE STILLMAN.



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FLO LEEDS HATED BANKER, SHE SAYS

"Co-Chicken," Lola Curtis Declares Mystery Woman Was Fired From Theater.

NEW YORK, March 21.—Lola Curtis, now in the chorus of "Tip Top," the Fred Stone show at the Globe, was a "co-chicken" with Miss Leeds in the Century Girl show, and today indulged in reminiscences. Miss Curtis said:

"Anybody who's ever known Flo could never forget her. She was the scrappiest, most hot tempered girl I ever knew, and she had more of the other girls in the troupe frightened."

"But not the stage manager. He fired her after a row one day. It seems that she brought pig's feet and beer backstage, and one of the girls whipped it. Florence almost wrecked the show, she was so sore."

"She was out of a job and down and out when she met Mr. Stillman. A little later she bloomed out in an apartment near the Knickerbocker Club, on Fifth avenue, near Sixty-first street."

"She used to meet the girls on the sly in the Virginia sea room, 301 Seventh avenue, and she spent all her time panning Stillman. She hated him worse than any man in the world because he had hidden her to cut out Broadway and her friends in the show business. The only theatrical girl she said he permitted her to see was Vivian Rushmore."

"Besides having worked in the Century Girl show, Flo was in the chorus of the Gaby Duvys show, 'Stop, Look and Listen' and played the season out at the Globe Theater. She worked then under the name of Florence Lawlor."

BACHELOR CAN'T BE "DADDY" FOR GIRL

Justice Cohalan Refuses to Sanction Adoption—"Wait Until You're Married," He Says.

NEW YORK, March 21.—Surrogate John P. Cohalan has peremptorily denied the sixty-seven-year-old bachelor Herbert N. Curtis, a retired business man, the pleasure of being the daddy by adoption of twenty-nine-year-old Miss Mary Lois Fox, who was described in Mr. Curtis' petition as a "professional entertainer, singer and elocutionist."

"Wait until you get married, then bring your husband around and I'll let you adopt this old man as your son if you desire," the surrogate said caustically to Miss Fox as she sat in the witness chair.

Curtis, a stately and vigorous old man, preceded Miss Fox upon the stand. He told the court that he met Miss Fox six years ago, when he went to her to take lessons in modern dancing. He said he had found her competent and had taken lessons from her for two years.

From a pupil in dancing he became a sort of secretary to the young woman and aided her in exploiting her talents as a dancer, singer and elocutionist.

"That is your reason for wanting to adopt this young woman?" the surrogate inquired, with impatience.

"Yes."

"Well, you won't do it with the aid of this court," the judge answered hotly. "I never heard of such a thing. It's too startling; it's a parody on all the laws of society and common decency. If I were to be a party to such an adoption I would have a lot of old men coming here wanting to adopt young girls."

DENIES TROOP FOR STRIKE

LITTLE ROCK, Ark., March 21.—Requests of several towns along the Missouri and North Arkansas railroad for State troops to protect them against feared outbreaks of striking railway employees have been refused by Gov. T. C. McRae.

He said he had instructed the sheriff's office in counties through which the road runs to maintain order and swear in deputies to aid them.

MRS. FLORENCE H. LEEDS.



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STILLMAN ESTATE HEAVILY GUARDED

Custodians Ward Off Reporters and Photographers at Millionaire's Summer Home.

MANGANICE, Quebec, (by courier to Grandes Piles), March 21.—A strict guard has been established at the estate of Mrs. "Fifi" Potter Stillman. This word was brought back today by photographers returning by way of the St. Maurice river to Grandes Piles.

The purpose of the estate custodians was explained as to ward off reporters and picture-takers. The Stillman guard was posted as early as last November, the returning men said. They added that it was only one of the many details of the program of secrecy that burst like a bubble recently when James A. Stillman's divorce action was revealed in New York.

The chief care-taker of the residence, "The White House" of Mrs. Stillman near Grande Anse, and of her hunting lodge a few miles westward, is Hercules Desilets. He is a woodsman, forty years old and lives at the Grande Anse residence, with his wife, two daughters and a son. Two of Mrs. Stillman's blooded Kentucky horses, two draft horses and a donkey compose the live stock there.

HAS FLEET OF BOATS.

A motor boat and six canoes, including a very small one used by the children of the banker, make up the fleet.

Owing to the vigilance of Desilets, the exploring cameramen were unable to view the house at the Grande Anse, and she spent all her time during a dash by sleigh up the St. Maurice river. A driving snowstorm has set in and is retarding the horses. Owing to weak patches in the ice, several difficult portages through the forests have been required.

At certain desolate spots along the route, black crosses are erected. These denote the places near where the devout residents of the North woods have lost some relatives by drowning. Such black crosses stand upright in the glacial snow not far from Grandes Piles. On either of the arms of the river is a small cross. It is in this manner that a Madame Pelletier honors the memory of her father, mother and Madame Pelletier's infant daughter. All three were drowned near there thirty years ago when their canoe upset.

Mrs. Stillman often boarded with Madame Pelletier at Grandes Piles.

GOSSIP FLOURISHING.

A Fred Beauvais, the half-breed guide and alleged co-representative, also resided there when in the employ of the Stillmans, according to Madame. The latter is very proud of two things, she confided at dinner last night. One is that she is a friend of Mrs. Stillman and the other that her raspberry jam is famous all along the St. Maurice.

At Rapides Manganice is a farm house on the eastern shore. Here is the home of Madame Gregoire Ciguere, who is a small cross. It is in this manner that a Madame Pelletier honors the memory of her father, mother and Madame Pelletier's infant daughter. All three were drowned near there thirty years ago when their canoe upset.

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NEW RAILROAD PLAN OFFERED

Baltimorean Proposes a National Service Board to Co-ordinate Facilities.

Compulsory changes in railroad management, which, it is declared, would save millions of dollars a year and result in lowering freight and passenger rates on all American railroads, are urged in a detailed statement which was made public here today. With exhibits, it was filed with Senator Cummins, chairman of the Senate Committee on Interstate Commerce.

OWNERSHIP AT STAKE.

The statement was prepared by S. Davies Wardfield, of Baltimore, president of the National Association of Owners of Railroad Securities, who has sent a separate letter to Senator Cummins, containing a grave declaration that only rapid and vigorous methods will avert Government operation of the roads, followed by Government ownership outright.

In explaining the development of the present situation, which has alarmed the railroad industry in recent weeks and has driven the stocks of standard companies to the lowest prices of several decades, Mr. Wardfield finds fault with the rate arrangement during the Government's wartime tenure of the railroads. The recent adjustment, he points out, was ineffectual because it was made with the postwar slump in business.

He attacks the recent effort in Chicago by certain of the large railroads to force an annulment of the Railroad Labor Board of the national agreements with the employees. This effort, he declares, not only failed of its purpose, but has aroused bad feeling between the roads and the employees and has seriously delayed the whole reconstruction program.

SCORES CLAYTON ACT.

He assails the prohibition of "interlocking directorates" in the Clayton act has deprived the roads of advice they need badly just now.

He also complains of the condition in which the Government gave back the properties to the railroads, and in conclusion, gives a solemn warning to roads, employees and Congress that the industrial perils ahead are much bigger than any individual or group peril.

The remedy proposed for all this is an extension of the Cummins-Esch act. There is no conflict with that basic legislation, the continued operation of which Mr. Wardfield describes as "essential," but for declining tonnage it would have ended the difficulty.